

ORDINANCE NO. 15,573

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 20 East 18th Street from the Limited “M-2” Heavy Industrial District to amended Limited “M-2” Heavy Industrial District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 20 East 18th Street, more fully described as follows, from the Limited “M-2” Heavy Industrial District to amended Limited “M-2” Heavy Industrial District classification:

LOTS 1 THROUGH 8 AND LOTS 15 THROUGH 22, BLOCK 1, I.N. THOMAS SUB DIVISION, AN OFFICIAL PLAT, AND THE VACATED EAST-WEST ALLEY LYING NORTH AND ADJOINING LOTS 17 THROUGH 22, BLOCK 1, I.N. THOMAS SUB DIVISION ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Section 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

- (1) Use of the Property shall be limited to the following:
 - a. Any use as permitted and limited in the M-1 District.
 - b. Any of the following uses so long as they are in accordance with a Conditional Use Permit as granted by the Zoning Board of Adjustment:
 - i. Storage of inoperable machinery and/or equipment, such as forklifts, trucks, and automobiles.
 - ii. Dismantling of equipment, such as forklifts, trucks, and

automobiles.

- iii. Recycling (including sorting and transferring) of waste materials, such as metals, wood, shingles, cardboard, and paper.
- (2) Any area used for outdoor storage of inoperable machinery, dismantling of equipment, or recycling of waste materials shall be completely screened from view and shall be setback at least 100 feet from any public right-of-way.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 17-0613), passed by the City Council of said City at a meeting held April 3, 2017 signed by the Mayor on April 3, 2017 and published and provided by law in the Business Record on April 21, 2017. Authorized by Publication Order No. 9977.

Diane Rauh, City Clerk